

The Division conducts various types of investigations for the courts of Maryland, the Parole Commission, and the Office of the Governor when requested. Unless otherwise ordered, a presentence investigation is completed for the court when the sentencing of a defendant convicted of a felony in a Circuit Court may result in the defendant being remanded to the jurisdiction of the Division of Correction or referred to Patuxent Institution. When requested by the Governor or his designee, the Division conducts investigations and prepares reports on persons who apply for pardon, commutation of sentence, or clemency. Investigations are conducted for the Parole Commission to aid them in determining whether parole should be granted to persons sentenced under Maryland law. The Division also investigates the home and employment proposals of parolees and probationers from other states who want to live in Maryland under the Uniform Out-of-State Parolee Supervision Act, and at the direction of the Court of Special Appeals, investigates, reports, and makes recommendations regarding applications for review of criminal sentences. A victim impact statement is included as part of the presentence investigation where a felony offense caused physical, psychological, or economic injury; and a victim impact statement is done when a misdemeanor offense has caused serious physical injury or death.

The Division maintains field offices throughout the State in close proximity to the residences of large segments of the client population. Offices are located in Annapolis, Arbutus/Catonsville, Baltimore City, Bel Air, Beltsville, Brentwood, Cambridge, Centerville, Chestertown, Cumberland, Denton, Dundalk, Easton, Elkton, Ellicott City, Essex/Rosedale, Frederick, Gaithersburg, Glen Burnie, Hagerstown, La Plata, Leonardtown, Oakland, Prince Frederick, Princess Anne, Rockville, Salisbury, Silver Spring, Snow Hill, Suitland, Towson, Upper Marlboro, and Westminster (Code 1957, Art. 41, secs. 117A-131A).

## MARYLAND PAROLE COMMISSION

*Chairperson:* William J. Kunkel, 1988

Jasper R. Clay, Jr., 1985; Harry J. Traurig, 1986; Leronia A. Josey, 1987; Maceo M. Williams, 1988; Marjorie A. Jennings, 1989; John W. Wolfgang, 1989.

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The Maryland Parole Commission was created by Chapter 540, Acts of 1976, to replace the Board of Parole. The previous board had been established by Chapter 457, Acts of 1968, to replace the Board of Parole and Probation.

The Commission uses hearing examiners to hear certain cases for parole release. The Commission itself has the exclusive power to hear certain serious cases for parole release and to conduct hearings for revocation of parole. The jurisdiction of the Commission extends to persons sentenced under State law to any penal or correctional institution, including local jails and detention centers. It has the power to issue warrants for the return to custody of alleged violators of parole and to suspend or revoke parole upon a showing of its violation.

Decisions of its hearing examiners, if concurred in by the Commission on summary review, become final. A final decision of the hearing examiner may be appealed to a panel of Commission members for review upon the record. The decision of the appeal panel is final.

The Commission of its own initiative must request the Division of Parole and Probation to make such investigation as may enable the Commission to determine the advisability of granting parole to persons sentenced for a term of 6 months or more to the jurisdiction of the Division of Correction, or to any other place of confinement or detention of violators of State criminal laws, whenever the prisoner shall have served one fourth of the term or consecutive terms in confinement. The Commission evaluates information on the activity of parolees as reported to it by the Division of Parole and Probation. In addition, it causes investigations to be made by the Division of Parole and Probation for the purpose of making recommendations to the Governor for his granting of pardons, commutations of sentences, and parole of persons sentenced to life imprisonment. The Commission is also authorized to negotiate and execute tri-party contracts for the release on parole of an inmate at a predetermined future date, conditioned upon the fulfillment of the conditions specified in the agreement. The signatories to such mutual agreements are the Parole Commission, the Commissioner of Correction, and the inmate.

The Commission is composed of a chairperson and six commissioners. All are appointed for six-year terms by the Secretary of Public Safety and Correctional Services with the approval of the Governor and with the advice and consent of the Senate. The Secretary of Public Safety and Correc-